

CHAPTER NO. 638

SENATE BILL NO. 2971

By Burks

Substituted for: House Bill No. 3451

By Sontany, Sherry Jones, Langster, Marrero, Lois DeBerry

AN ACT to amend Tennessee Code Annotated, Title 38 and Title 40, relative to prohibiting the use of polygraph or similar devices under certain circumstances.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 38, Chapter 3, Part 1, is amended by adding the following new section:

§ 38-3-123.


(a) No law enforcement officer shall require any victim of a sexual offense, as defined in § 40-39-202(17), or violent sexual offense, as defined in § 40-39-202(25), to submit to a polygraph examination or any other test designed to detect deception or verify the truth of statements through instrumentation or by means of a mechanical device as a condition of such officer proceeding with the investigation of the offense.

(b) A violation of this section shall subject the officer to appropriate departmental disciplinary action.

SECTION 2. This act shall take effect July 1, 2006, the public welfare requiring it.

PASSED: April 27, 2006


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 12th day of May 2006


PHIL BREDESEN, GOVERNOR